



UNITED STATES PATENT AND TRADEMARK OFFICE

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PATENT & TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. _____

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4/8/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
 A. Amended paragraph(s) do not include markings.
 B. New paragraph(s) should not be underlined.
 C. Other _____

2. Abstract:
 A. Not presented on a separate sheet. 37 CFR 1.72.
 B. Other _____

3. Amendments to the drawings: _____

4. Amendments to the claims:
 A. A complete listing of all of the claims is not present.
 B. The listing of claims does not include the text of all claims (including withdrawn claims)
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 D. The claims of this amendment paper have not been presented in ascending numerical order.
 E. Other: You must list all claims (claims 1-26) are missing

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognitice/officeflyer.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

(571)272-1022

Telephone No. _____



1732

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Frank J. Baresich**

Serial No: **09/901,929**

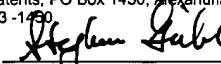
Examiner: **Mathieu D. Vargot**

Filed: **July 10, 2001**

Group Art Unit: **1732**

For: **Mold for Optimizing Cooling Time to Form
Molded Article**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING, 37 C.F.R. §1.8(a)	
I certify that this correspondence and the enclosures mentioned therein are being deposited by First Class U.S. Mail with sufficient postage on the date shown below, addressed to Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450	
	
Stephan P. Gribok, Reg. No. 29,643	
5-7-04	
Date	

TRANSMITTAL LETTER

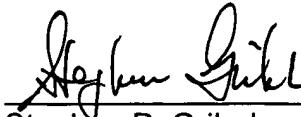
Sir:

Please find enclosed for filing:

- Response to Notice of Non-Compliant Amendment
- Copy of Notice
- Please charge any additional fees to Deposit Account No. 04-1679.
This Transmittal Letter is submitted in duplicate.
- Other: return postcard.

Respectfully submitted,

Date: May 7, 2004



Stephan P. Gribok
Registration No. 29,643
Duane Morris LLP
One Liberty Place, 1650 Market Street
Philadelphia, PA 19103-7396
(215) 979-1283

Attorney Docket No. 3578-4-1 (D4958-00008)



PATENT

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 Stephan P. Gribok, Reg. No. 29,643	
<u>5-7-04</u> Date	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

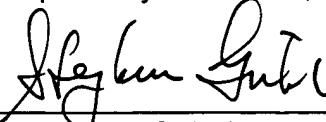
Sir:

Responsive to the official action mailed March 9, 2004, and responsive to the Notice of Non-Compliant Amendment mailed April 30, 2004, stating that the amendment was considered non-compliant with the revised practice, applicant hereby re-submits the Amendments to the Claims filed on April 6, 2004. Applicant also hereby affirms its election (without traverse) responsive the restriction requirement, of Invention II, original claim 33, drawn to a mold for an optical disk, class 425, subclass 810.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

No new matter is presented. No fee is required.

Respectfully submitted,



Stephan P. Gribok
Reg. No. 29,643
DUANE MORRIS LLP
One Liberty Place, 1650 Market Street
Philadelphia, PA 19103-7396
(215) 979-1283

Attorney Docket No. 3578-4-1
D4958-8
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